

EXHIBIT B

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF IVAN ALMENDAREZ, JR.

I, Ivan Almendarez, Jr., pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based upon my personal knowledge unless otherwise indicated.
2. At the time of the 9/11 Attacks, I was a citizen of Nicaragua. I later became a United States citizen in 2015. Attached as Exhibit A to this Declaration is a true and correct copy of my current proof of U.S. citizenship.
3. On September 11, 2001, I was present in New York City when the terrorist attacks of the World Trade Center (“WTC”) Towers occurred. At the time of these horrific attacks, I had worked as a janitor with American Building Maintenance (ABM) at the WTC’s North Tower for over eight years. My primary job duties involved cleaning and maintaining the areas in and around the Concourse Level of the North Tower. Attached as Exhibit B to this Declaration is a true and correct copy of my proof of presence at the WTC during the 9/11 Attacks.
4. On the morning of September 11th, I had been located in the basement area of the North Tower collecting cleaning supplies when the first passenger jet, American Airlines Flight 11, struck the upper section of the building. I felt the building shake and rumble like I had been

caught in an earthquake. I immediately took cover under a desk and I remained there for about five to ten minutes. I then heard several explosions and my supervisor told me to evacuate from the building.

5. I grabbed my radio and I rushed out of the office. When I came out of ABM's basement office, I saw a man who worked in the building, and his arms and face had been severely burned due to a fireball which exploded out of the basement elevator. My supervisor and I grabbed the injured man and we evacuated from the North Tower building through the loading dock. However, as I hurriedly jumped from the loading dock to the ground level, I fell and severely injured my left knee.

6. Despite my left knee injury, I continued to flee from the North Tower area while trying to help the burned gentleman get to safety and medical care. We then received a radio call from our ABM manager in which she informed all ABM staff members to evacuate the North Tower and meet by One Chase Plaza (which was located one block away from the WTC) for further instructions from ABM management.

7. I walked to One Chase Plaza as instructed. My fellow coworkers and I waited for about forty minutes for further instructions from ABM's management, and then I saw a second passenger jet, United Airlines Flight 175, slam into the upper section of the South Tower. I watched in disbelief as the chaos in and around me and near the WTC Towers unfolded.

8. After watching the carnage unfold in and around the South Tower, I heard a loud sound similar to thunder and I watched as the building begin to collapse. The debris from the South Tower fell around me, and a thick cloud of building dust and debris struck me.

9. I panicked and attempted to run away from the area, but I could not see anything in front of me due to the thickness of the debris cloud. While running away from the area, I tripped and

fell to the pavement. People trampled over me as they fled the area, and I suffered additional injuries to my back and my right shoulder.

10. I was determined to escape from the area, so I stumbled to my feet and I ran into the One Chase Plaza building entrance. I felt the ground shake and then I realized that the South Tower had completely collapsed. I heard loud noises and glass shattering. I panicked thinking that the South Tower would collapse on top of the One Chase Plaza building.

11. After a few minutes, I ran out of One Chase Plaza to locate a safer area. As soon as I walked outside, I had trouble breathing due to the thick cloud of dust and debris. I took off my shirt and covered my nose to filter out the dust and debris in the air. I located a Burger King restaurant, and their employees gave me some water to clean the debris from my face. I waited another ten minutes in the restaurant, and I then ran towards the Brooklyn Bridge.

12. As I approached the Brooklyn Bridge, I saw the North Tower collapse. I went to Canal Street and walked into my union headquarters. A union representative took me to the bathroom. I cleaned up in the bathroom as my whole body was covered in the white dust and debris from the collapse of the South Tower.

13. I walked from Canal Street towards 141 Broadway Street. When I finally arrived at my home that afternoon, I collapsed due to my injuries and my exhaustion. My family helped me to take a shower and to get into bed. Due to my significant injuries, I sought medical attention shortly after the events of 9/11.

14. In the days, weeks, months, and years after the events of September 11th, I continued to seek medical treatment for my various injuries and conditions caused by the 9/11 Attacks. Due to my injuries, I was physically disabled and I received physical therapy for two and a half years. To this day, I am unable to lift heavy items, and I continue to take pain medication for my back injury.

Attached as Exhibit C to this Declaration is a true and correct copy of my select relevant documents and medical records¹ related to the treatment that I received following the September 11, 2001 terrorist attacks.

15. As a result of these terrorist attacks, I suffered the following specific injuries on September 11, 2001: herniated discs in the cervical and lumbar spine², a sprained left knee³, and a sprained right shoulder joint⁴.

16. Due to my experience on 9/11 and my memories of that fateful day, I also have received continuous treatment for depression and post-traumatic stress disorder⁵ (PTSD). I lost twenty-five coworkers on that day. I carry with me a burden shared by few others. I still have nightmares about the events of the 9/11 Attacks.

17. My physical and emotional injuries from 9/11 have also been confirmed by the World Trade Center Health Program⁶ and the September 11th Victim Compensation Fund⁷ (VCF).

18. I previously pursued a claim (VCF 0002115) through the VCF 2 specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

¹ See, 9/11 Injury Records of Junior Ivan Almendarez (ALMENDAREZ_MEDS_0001 to ALMENDAREZ_MEDS_0037), attached hereto as Exhibit C.

² *Id.* at 0001-0004, 0006-0014, 0016-0021, 0023-0037.

³ *Id.* at 0001-0002, 0005-0006, 0008-0014, 0018-0021, 0023-0034.

⁴ *Id.* at 0001-0003, 0005-0006, 0008-0014, 0018-0021, 0023-0033.

⁵ *Id.* at 0001-0005, 0007, 0012, 0014-0017, 0021-0022, 0029-0030, 0033.

⁶ *Id.* at 0001.

⁷ *Id.* at 0002.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 29 day of MAY 2024.


Declarant Junior Ivan Almendarez

**EXHIBITS
FILED
UNDER SEAL
(ECF No.
5716)**